

ANDREW R. POTTS.

JANUARY 10, 1857.—Laid on the table and ordered to be printed.

Mr. QUITMAN, from the Committee on Military Affairs, submitted the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of Andrew R. Potts, respectfully report:*

The memorialist was, on the 16th of August, 1847, appointed an assistant commissary of subsistence, with the rank of captain, (volunteer service,) and served as such until the close of the war with Mexico.

At that time, being on duty with no particular regiment of volunteers, Captain Potts was not mustered out of service under the general orders of June 8 and July 6, 1848; but on the 7th of July an order (see order herewith printed) was issued applying to his case. As Captain Potts was neither in New Mexico nor California, and was not employed at the principal depots, the exceptions to the effect of the order, he was discharged from service on the 20th of July, 1848, and was so considered by the commissary general of subsistence, and no further orders were given to him by the commissary general.

Captain Potts having received orders from the local commander on the Rio Grande to report in person to the commissary general, obeyed that order and reported on the 29th of September, 1848; and the commissary general, in consequence of that order, requested that the term of service of Captain Potts might be extended from the 20th of July until the 30th of September, 1848, to enable him to receive pay for the time consumed in obeying such order. This request was granted, and by the letter of the adjutant general of December 23d, Captain Potts was informed that the term of service was extended to the 30th September, 1848.

Captain Potts now claims pay up to the 25th of December, the time at which he received the above letter of the adjutant general, and which was within a few days of the final settlement of his accounts. The committee think that Captain Potts was discharged by the general orders, herewith annexed, on the 20th of July; that the extension of the period of discharge to the 30th of September, 1848, was a mere matter of favor to him, which gives no claim for pay to the 20th of December. Nor do the committee recognize that he has any claim by reason of his detention here in settling his accounts. That was a

matter affecting his personal interests as well as those of the government. The loss of time in doing that, gives no additional strength to his claim for compensation. The committee, therefore, ask to be discharged from the further consideration of the memorial.

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GENERAL ORDERS, No. 36.

WAR DEPARTMENT,  
*Adjutant General's Office, Washington, July 7, 1848.*

Pursuant to law, the President directs that the general officers appointed under the first section of the act of March 3, 1847; the general and staff officers "*provided for the organization of the volunteer forces brought into the service of the United States*" under the acts of Congress approved June 18, 1846, and June 26, 1846, and the additional paymasters appointed under the act of July 5, 1838, be honorably discharged the service of the United States from and after the 20th day of July, 1848.

And the President further directs that the general, staff, and regimental officers, (volunteer service,) who may be absent from their commands, and such officers belonging to the "additional military force" raised under the act of February 11, 1847, as may not be present with their respective regiments, battalions, or companies, at the places of rendezvous indicated in "General Orders" No. 25, of June 8, paragraph 10, and "General Orders" No. 35, of July 6, be considered as discharged the service of the United States on the said 30th day of July, 1848—with the exceptions herein mentioned, to wit:

The major general charged with the withdrawal of the troops from Mexico, the brigadier general, and the officers of the quartermaster's commissary's, and medical departments, (volunteer service,) and additional paymasters, now in New Mexico and California, or employed at principal depots, who are unavoidably continued in service until they can be duly notified of their discharge. The chiefs of staff will report, for the information of the Secretary of War, the names of such officers as cannot be discharged on the 20th July.

By order of the Secretary of War:

R. JONES, *Adjutant General.*